

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

November 25, 1959
10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor Miller presiding.

Roll call:

Present: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Absent: None

Present also: W. T. Williams, Jr., City Manager; Doren R. Eskew, City Attorney; Reuben Rountree, Jr., Director of Public Works; Robert A. Miles, Chief of Police.

Invocation was delivered by BROTHER RAYMOND FLECK, St. Edwards University.

Councilman White moved that the Minutes of the Meeting of November 19, 1959, be approved. The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

MR. ARTHUR FEHR, President, Texas Society of Architects, submitted a Resolution adopted by the Central Texas Chapter of the American Institute of Architects endorsing the Urban Renewal Program and pledging its continuing interest and assistance in the elimination and prevention of slums and blight through an Urban Renewal Program. With Mr. Fehr were MR. PHILLIP CREER, Director of the School of Architecture at the University of Texas; MR. WILLIAM SAUNDERS, and MR. DOYLE BALDRIDGE, Architects. Mr. Baldrige stated he did not see how any thinking person could not vote for this Urban Renewal program. Mr. Saunders stated he believed that everyone understanding the program will lend his support. The Mayor thanked the group for submitting the Resolution.

Mayor Miller introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS, JULY 17, 1941, AND RECORDED IN ORDINANCE BOOK "L", PAGES 152-174, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, WHICH ORDINANCE WAS AMENDATORY OF THAT CERTAIN ORDINANCE ESTABLISHING ZONING

REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN PASSED BY THE CITY COUNCIL, APRIL 23, 1931, AND RECORDED IN BOOK "I", PAGES 301-318, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, THE AMENDATORY ORDINANCE HEREBY CHANGING THE USE DESIGNATION FROM "A" RESIDENCE DISTRICT TO "O" OFFICE DISTRICT ON 9.71 ACRE TRACT OF LAND FRONTING APPROXIMATELY 343 FEET ON THE WEST RIGHT OF WAY LINE OF SOUTH 1ST STREET, LOCALLY KNOWN AS 3106-3208 SOUTH 1ST STREET, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; ORDERING A CHANGE IN THE USE MAPS SO AS TO RECORD THE CHANGE HEREBY ORDERED; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman Bechtol moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The ordinance was read the second time and Councilman Bechtol moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The ordinance was read the third time and Councilman Bechtol moved that the ordinance be finally passed. The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The Mayor announced that the ordinance had been finally passed.

The Council greeted and welcomed MISS BARBARA JEAN MEADOR, granddaughter of COUNCILMAN BEN WHITE.

MAYOR MILLER commended City Attorney DOREN ESKEW and Assistant City Attorney DUDLEY FOWLER for their efforts in securing the right-of-way for the Missouri Pacific Underpass; also Director of Public Works REUBEN ROUNTREE for working out a good traffic pattern with the engineers.

The Water Superintendent gave a report about working out something with a client of MR. JACK HARRIS for furnishing water to his property on Riverview and Berkman Drive; also about the property belonging to MR. DUDE McCANDLESS, and about the offer made to Mr. McCandless, which offer Mr. McCandless had not accepted. Councilman Palmer asked that Mr. Davis bring in a written report on all of the facts around these two cases.

Councilman White introduced the following ordinance and moved that it be published in accordance with Article I, Section 6 of the Charter of the City of Austin:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 31 ACRES OF LAND, MORE OR LESS, SAME BEING OUT OF AND A PART OF THE HENRY P. HILL LEAGUE IN TRAVIS COUNTY, TEXAS, WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

The motion, seconded by Councilman Bechtol, carried by the following vote:
Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The ordinance was read the first time and Councilman White moved that the ordinance be passed to its second reading. The motion, seconded by Councilman Bechtol, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

Councilman White introduced the following ordinance and moved that it be published in accordance with Article I, Section 6 of the Charter of the City of Austin:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 65 ACRES OF LAND, MORE OR LESS, SAME BEING OUT OF AND A PART OF THE HENRY WARNELL SURVEY, IN TRAVIS COUNTY, TEXAS, WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

The motion, seconded by Councilman Bechtol, carried by the following vote:
Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The ordinance was read the first time and Councilman White moved that the ordinance be passed to its second reading. The motion, seconded by Councilman Bechtol, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

Councilman White introduced the following ordinance and moved that it be published in accordance with Article I, Section 6 of the Charter of the City of Austin:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 6.7

ACRES OF LAND MORE OR LESS, SAME BEING OUT OF AND A PART OF THE JAMES TRAMMEL SURVEY, IN TRAVIS COUNTY, TEXAS, WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

The motion, seconded by Councilman Bechtol, carried by the following vote:
Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The ordinance was read the first time and Councilman White moved that the ordinance be passed to its second reading. The motion, seconded by Councilman Bechtol, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

Councilman White introduced the following ordinance and moved that it be published in accordance with Article I, Section 6 of the Charter of the City of Austin:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 28 ACRES OF LAND, MORE OR LESS, SAME BEING OUT OF AND A PART OF THE DINSMORE SIMPSON SURVEY, IN TRAVIS COUNTY, TEXAS, WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

The motion, seconded by Councilman Bechtol, carried by the following vote:
Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The ordinance was read the first time and Councilman White moved that the ordinance be passed to its second reading. The motion, seconded by Councilman Bechtol, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

Councilman White introduced the following ordinance and moved that it be published in accordance with Article I, Section 6 of the Charter of the City of Austin:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 5.9 ACRES OF LAND, MORE OR LESS, OUT OF AND A PART OF THE A. B. SPEAR SURVEY NO. 25, IN TRAVIS COUNTY, TEXAS, WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

The motion, seconded by Councilman Bechtol, carried by the following vote:
 Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
 Noes: None

The ordinance was read the first time and Councilman White moved that the ordinance be passed to its second reading. The motion, seconded by Councilman Bechtol, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
 Noes: None

Councilman White introduced the following ordinance and moved that it be published in accordance with Article I, Section 6 of the Charter of the City of Austin:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 10.7 ACRES OF LAND, MORE OR LESS, OUT OF THE J. C. TANNEHILL SURVEY AND THE HENRY WARNELL SURVEY, IN TRAVIS COUNTY, TEXAS, WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

The motion, seconded by Councilman Bechtol, carried by the following vote:
 Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
 Noes: None

The ordinance was read the first time and Councilman White moved that the ordinance be passed to its second reading. The motion, seconded by Councilman Bechtol, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
 Noes: None

Councilman Bechtol offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, E. W. Bennett is the Contractor for the demolition of a building located at 2007-2009 University Avenue and desires a portion of the sidewalk and street space abutting Lots 1 and 2, Outlot 18, Division D, of the City of Austin, Travis County, Texas, during the demolition of the building, such space to be used in the work and for the storage of materials therefor; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

1. THAT space for the uses hereinabove enumerated be granted to said E. W. Bennett, the boundary of which is described as follows:

Sidewalk and Street Working Space

Beginning at the southwest corner of the above described property; thence in a westerly direction and at right angles

to the center line of University Avenue to a point 4 feet west of the east curb line; thence in a northerly direction and parallel with the center line of University Avenue 140 feet to a point; thence in an easterly direction and at right angles to the center line of University Avenue to the northwest corner of the above described property.

2. THAT the above privileges and allotment of space are granted to the said E. W. Bennett, hereinafter termed "Contractor", upon the following express terms and conditions:

(1) That the Contractor shall construct a 4-foot walkway within the outer boundaries of the above described working space, such walkway to be protected on each side by a guard rail at least 4 feet high and substantially braced and anchored, and without wood strips or obstructions of any kind along the pavement within the walkway, and at any time in the opinion of the City Officials it becomes necessary for any reason to install a board floor within the walkway, the Contractor shall upon notice from the Building Inspector immediately place such a wood floor and substantially support same to prevent sagging under load.

(2) That the Contractor is permitted to construct in his working space a substantial gate which shall be kept closed at all times when not in use, and at all times that such gate is open, the Contractor shall maintain a person at this gate to warn pedestrians and vehicles of approaching trucks. This gate is not to open out so as to impede vehicular or pedestrian traffic.

(3) That no vehicles in loading or unloading material at the working space shall park on any part of the street outside of the allotted working space.

(4) That "No Parking" signs shall be placed on the street side of the barricades.

(5) That the Contractor is permitted to construct a temporary work office within such allotted working space provided such work office is not within 25 feet of any corner street intersection.

(6) That the Contractor shall in no way obstruct any fire plugs or other public utilities in the construction of such barricades.

(7) That provisions shall be made for the normal flow of all storm waters in the gutter and the Contractor will be responsible for any damage done due to obstruction of any such storm water.

(8) That the Contractor shall place on the outside corners of any walkway, barricades or obstructions, red lights during all periods of darkness and provide lighting systems for all tunnels.

(9) That the Contractor shall remove all fences, barricades, loose materials and other obstructions on the sidewalk and street immediately after the necessity for their existence on said sidewalk or street has ceased, such time to be determined by the City Manager, and in any event all such sidewalk, barricades, materials, equipment and other obstructions shall be removed not later than January 1, 1960.

(10) That the City reserves the right to revoke at any time any and all the privileges herein granted or to require the erection or installation of additional barriers or safeguards if the conditions demand it.

(11) That the use and enjoyment of the spaces herein granted shall not be exclusive as against public needs, and the City, in making such grant reserves the right to enter and occupy any part or all of said space any time with its public utilities, or for other necessary public purposes.

(12) That any public utility, or public or private property disturbed or injured as a result of any of the activities necessary for the completion of the construction work for said building projects, whether done by the Contractor, City Forces, or public utilities, shall be replaced or repaired at the Contractors expense.

(13) That the Contractor shall furnish the City of Austin a surety bond in the sum of One Thousand Dollars (\$1,000) which shall protect, indemnify and hold harmless the City of Austin from any claims or damages to any person or property that may accrue to or be brought by any person by reason of the exercise or abuse of the privileges granted the Contractor by the City of Austin and shall guarantee the replacement of all sidewalks, pavement and all other public property and public utilities disturbed or removed during the construction work and shall further guarantee the construction of a walkway and other safeguards during the occupancy of the space.

The motion, seconded by Councilman Palmer, carried by the following vote:
 Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
 Noes: None

The City Manager submitted the following:

"November 23, 1959

"Mr. W. T. Williams, Jr.
 City Manager
 Austin, Texas

"Dear Mr. Williams:

"Bids were received until 2:00 P.M., Tuesday, November 17, 1959 at the Office of the Director of Water and Sewer Department for the relocation of Water Mains along 7th Street between Interregional Highway No. 35 and Chicon Street. The bids were then publicly opened and read in the Second Floor Conference Room, Municipal Building, Austin, Texas. This project was made necessary through the widening of East 7th Street.

"The following is a summary of the bids received:

<u>"FIRM</u>	<u>AMOUNT</u>	<u>WORKING DAYS</u>
J. R. Barnes Engineering Company	\$18,268.70	90
Austin Engineering Company	20,884.70	40
Fairey-Simons Company	21,890.31	90
Glade Construction Company	26,267.50	75
Karl Wagner, Incorporated	29,824.25	100
Bland Construction Company	31,599.20	60

"It is recommended that the contract be awarded to J. R. Barnes Engineering Company on their low bid of \$18,268.70, with 90 working days.

"Yours truly,

(Sgd) Victor R. Schmidt, Jr.
Superintendent, Water and Sewer Dept.

(Sgd) Albert R. Davis
Director, Water and Sewer Department

Approved: W. T. Williams, Jr.
City Manager"

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on November 17, 1959, for the relocation of Water Mains along 7th Street between Interregional Highway No. 35 and Chicon Street; and

WHEREAS, the bid of J. R. Barnes Engineering Company, in the sum of \$18,268.70, was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Director, Water and Sewer Department, of the City of Austin, and by the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the bid of J. R. Barnes Engineering Company, in the sum of \$18,268.70 be and the same is hereby accepted, and W. T. Williams, Jr., City Manager of the City of Austin is hereby authorized and directed to execute a contract on behalf of the City of Austin with J. R. Barnes Engineering Company.

The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller

Noes: None

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on November 24, 1959, for the development of the block bounded by West 5th Street, Guadalupe Street, West 4th Street, and San Antonio Street - Contract No. 59-C-27; and,

WHEREAS, the bid of Lee Maners in the sum of \$11,027.42 was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Director of Public Works of the City of Austin and by the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the bid of Lee Maners in the sum of \$11,027.42 be and the same is hereby accepted, and W. T. Williams, Jr., City Manager of the City of Austin is hereby authorized and directed to execute a contract on behalf of the City of Austin with Lee Maners.

The motion, seconded by Councilman Palmer, carried by the following vote:
 Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
 Noes: None

The City Manager submitted the following:

"Sealed bids opened 10:00 A.M. Nov.19, 1959
 Tabulated by: O. G. Brush, Purchasing Agent

CITY OF AUSTIN BIDS FOR COPPER WATER PIPE

COPPER PIPE TYPE K	3/4"	1"	1 1/4"	1 1/2"	Total	Less Cash Disc. 2%	Net Total
QUANTITY	12,000'	8,000'	220'	140'		2%	
MILSTEAD COMPANY	\$4,942.80	4,116.00	140.29	116.75	\$9,315.84	186.32 2%	\$9,129.52
K & M SUPPLY	\$4,838.40	4,028.80	137.35	114.30	\$9,118.85	182.38	\$8,936.47
TEMSCO	\$4,911.60	4,089.60	139.41	116.00	\$9,256.61	Net 2%	\$9,256.61
ROHAN COMPANY	\$4,791.60	3,989.20	136.00	113.17	\$9,029.97	180.60	\$8,849.37
MUNICIPAL PIPE & FAB. COMPANY	\$4,838.40	4,028.80	137.34	114.30	\$9,118.84	182.38	\$8,924.23
S. H. LEGGETT COMPANY	Bid Lump Sum Only				\$8,924.23	Net	\$8,924.23
SAMSCO	\$4,929.60	4,104.80	139.92	116.45	\$9,270.77	2% 182.10	\$8,922.85
TODAYS PUBLISHED MARKET PRICE	\$6,001.20	4,996.80	170.35	141.75	\$11,310.10	-2% 226.20 2%	\$11,083.90
PRESENT QUANTITIES UNIT PRICES QUOTED ON CONTRACT FOR 50,000' Jan.1958	\$4,995.60	4,104.00	139.90	116.42	\$9,355.92	1/2% 46.78	\$9,309.14

"Recommendations: Recommend low bidder, Rohan Company be awarded order.

"W. T. Williams, Jr. City Manager"

Discussion was held on awarding contracts to local people, or giving them a one percent preference. The City Attorney stated he had briefed this; but the one case on record is different from the situation here. Councilman Palmer stated the whole bidding system might be torn down.

Councilman Palmer offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on November 19, 1959, for the furnishing of various sizes of copper water pipe; and,

WHEREAS, the bid of Rohan Company in the sum of \$8,849.37 was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Purchasing Agent of the City of Austin and by the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the bid of Rohan Company in the sum of \$8,849.37 be and the same is hereby accepted, and W. T. Williams, Jr., City Manager of the City of Austin is hereby authorized and directed to execute a contract on behalf of the City of Austin with Rohan Company.

The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Palmer, White, Mayor Miller

Noes: None

Present but not voting: Councilmen Bechtol, Perry

PLANNING COMMISSION	1800-02 West 35th Street	From "A" Residence
AREA STUDY	3500-02 Lawton Avenue	To "B" Residence
		RECOMMENDED by the
		Planning Commission

MR. ARTHUR QUIST appeared before the Council in the interest of the zoning case of Planning Commission Area Study, stating this was his property, and he wanted the zoning changed to "LR" Local Retail, as he had a proposal to sell to a major oil company. After discussion of the development of the area and of this application, Councilman Palmer moved that the zoning be changed to "B" Residence, and have Mr. Quist come back with a request for change for "LR" Local Retail. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller

Noes: None

The Mayor announced that the change had been granted to "B" Residence and the City Attorney was instructed to draw the necessary ordinance.

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A. G. GANNAWAY	1707 Congress Avenue	From "B" Residence
		To "O" Office

Action was postponed.

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MR. V. A. GORDON, Vice President, Missouri Pacific Railroad Company, and other officials appeared before the Council regarding the Missouri Pacific Boulevard right-of-way negotiations, the relocating of the telephone pole system, grade separations and other details to be worked out in their deeding the right-of-way. The Mayor stated that formal negotiations would start about the middle of January; and in the meantime the City Manager would formulate a letter to be approved in answer to Mr. Gordon's letter dated September 26, 1959. MR. GORDON

stated that as soon as the answer was received, he would handle the matter then through his President and Board of Directors.

MR. JIM CROW appeared before the Council expressing opposition to two pending projects--(1) the sale of the Hancock tract, and (2) Urban Renewal as proposed in the coming election. MAYOR MILLER gave him information on both projects and reviewed the two thoroughly. Mr. Crow stated he did not represent any group--just himself.

The Council recessed at 1:00 P.M.

RECESSED MEETING

4:45 P.M.

At 4:45 P.M. the Council resumed its business.

Councilmen Perry and White were absent at this meeting.

Councilman Bechtol offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, on December 4, 1958 a certain lease agreement was entered into by and between the City of Austin, as Lessor, and Roy E. Seekatz, doing business as Capitol Laundry and Dry Cleaning Company, as Lessee, by which certain land described as follows was leased to said Lessee:

0.134 of one acre of land, same being out of and a part of that certain five (5) acre tract of land, a portion of the George W. Spear League in the City of Austin, Travis County, Texas, which was conveyed to the City of Austin, a municipal corporation, by warranty deed from Charles Wild et ux dated September 9, 1912 of record in Volume 253 at Page 439 of the Deed Records, Travis County, Texas; said 0.134 of one acre of land being more particularly described by metes and bounds as follows:

BEGINNING at an iron pin at the southeast corner of the herein described tract of land, same being in the west line of Lamar Boulevard and which iron pin is at the present northeast corner of Lot 1 of Stark Addition same being the northwest corner of that certain portion of Lot 1, Stark Addition which was conveyed to State Highway Commission by deed dated March 2, 1934 of record in Volume 502 at page 5 of the Deed Records, Travis County, Texas, said Stark Addition being a subdivision of record in Book 4 at page 220 of the Plat Records, Travis County, Texas.

THENCE, with the south line of the said City of Austin tract of land same being the north line of said Stark Addition, N 59° 58' W 150.00 feet to an iron pin at the southwest corner of the herein described tract of land;

THENCE, with the west line of the herein described tract of land N 29° 44' E 58.95 feet to an iron pin at the northwest corner of the herein described tract of land same being a point in the curving south line of Koenig Lane, said

curve having an intersection angle of $49^{\circ} 59'$, a radius of 759.53 feet and a tangent distance of 438.66 feet;

THENCE, following said curve to the left an arc distance of 115.77 feet the sub-chord of which arc bears $S 45^{\circ} 35' E$ 115.73 feet to the point of tangency of said curve;

THENCE, continuing with the south line of said Koenig Lane $S 49^{\circ} 57' E$ 21.86 feet to the point of curvature of a curve whose angle of intersection is $79^{\circ} 41'$, whose radius is 20.00 feet and whose tangent distance is 16.69 feet;

THENCE, following said curve to the right an arc distance of 27.81 feet the long-chord of which arc bears $S 10^{\circ} 06' E$ 25.83 feet to an iron pin at the point of tangency of said curve, said iron pin being in the west line of Lamar Boulevard;

THENCE, with the west line of Lamar Boulevard same being the present east line of the City of Austin tract, $S 29^{\circ} 44' W$ 6.65 feet to the point of beginning.

and, Whereas, it was expressly provided in paragraph V. of said lease agreement that there was reserved to the City Council of the City of Austin the right to cancel and terminate said lease at any time it desired to do so during the term of said lease; and,

WHEREAS, bids were received by the City of Austin on September 15, 1959 for the sale of the above-described property, and the bid of Magnolia Petroleum Company was the highest bid therefor; and,

WHEREAS, on the 17th day of September, 1959 The City of Austin contracted to sell the above described property of Magnolia Petroleum Company; and,

WHEREAS, said purchaser has requested that said lease agreement described above be cancelled and terminated; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the lease between the City of Austin and Roy E. Seekatz, doing business as Capitol Laundry and Dry Cleaning Company, dated December 4, 1958 and pertaining to the above-described property be and the same is hereby cancelled and terminated, without prejudice to the right of the City of Austin to rentals past due and owing by said Lessee to the City of Austin, and W. T. Williams, Jr., City Manager of the City of Austin is hereby authorized and directed to execute a deed of the above described property, on behalf of the City of Austin, to Socony Mobil Oil Company, Inc., successor in interest to the Magnolia Petroleum Company, for a consideration of \$17,500 in accordance with the terms of the contract of sale referred to above.

The motion, seconded by Councilman Palmer, carried by the following vote:
Ayes: Councilmen Bechtol, Palmer, Mayor Miller
Noes: None
Absent: Councilmen Perry, White

Councilman Bechtol introduced the following ordinance and moved that it be published in accordance with Article I, Section 6 of the Charter of the City of Austin:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN

BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 20.99 ACRES OF LAND OUT OF AND A PART OF THE JAMES TRAMMEL SURVEY NO. 4, IN TRAVIS COUNTY, TEXAS, WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

The motion, seconded by Councilman Palmer, carried by the following vote:
 Ayes: Councilmen Bechtol, Palmer, Mayor Miller
 Noes: None
 Absent: Councilmen Perry, White

The ordinance was read the first time and Councilman Bechtol moved that the ordinance be passed to its second reading. The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Mayor Miller
 Noes: None
 Absent: Councilmen Perry, White

The Council received notice from the City Manager that the following zoning applications had been referred to the Planning Commission and had been set for public hearing before the City Council for January 7, 1960:

MRS. MAY FINKELSTEIN & A. B. BEDDOW	600-612 Canion Street 6700-02 Guadalupe	From "A" Residence To "D" Industrial
CAMERON AUSTIN COMPANY W. H. BULLARD, Owner	1204-1302 Koenig Lane	From "A" Residence To "LR" Local Retail
CAMERON AUSTIN COMPANY W. H. BULLARD, Owner	1102-1106 Koenig Lane	From "A" Residence To "LR" Local Retail
ANITA NOBLE JEKEL By Clyde H. Welch	1011 East 32nd Street	From "B" Residence To "O" Office
MRS. SAMMIE L. WALKER	1705 Walnut Avenue	From "A" Residence To "B" Residence
ARLEVIE JAMISON	3005 Kuhlman Street	From "A" Residence To "B" Residence
ELLEN C. JOHNSON ESTATE Eric G. Ericson,	2909-2911 Fruth Street 407-11 East 30th Street	From "B" Residence To "O" Office
R. F. FORD, JR., et al By George Walker	2114-2212 Hancock Drive	From "A" Residence & "O" Office To "GR" General Retail
NASH PHILLIPS CLYDE COPUS, JR. By Marvin Turner Engineers	6305-6433 Cameron Road 1301-1307 Wheless Lane	From "A" Residence To "GR" General Retail

ROBERT P. TOOMEY By E. B. Herrington and J.G. Johnson	1600-1608 Barton Springs Road	From "C" Commercial To "C-1" Commercial
MURRAY HARRIS By Bill Kennedy	1623-1639 State Highway No. 71	From "A" Residence To "DL" Light Industrial
FRED WONG	1307-1311 East 52nd Street	From "A" Residence To "BB" Residence
FRANK C. BARRON	5317-5331 New Manor Road	From "GR" General Retail To "C-1" Commercial
H. C. PATTILLO	2301-2305 Hancock Drive 5014 Shoalwood Avenue	From "A" Residence To "B" Residence
HENRY R. HENZE	2115 Northland Drive	From "A" Residence To "LR" Local Retail
ALEX F. WARREN	1512-1520 North Street	From "A" Residence 1st Height & Area To "C" Commercial 2nd Height and Area
HARRY DAUGHERTY	1311-1403 Montopolis Drive	From "A" Residence To "GR" General Retail
ALFRED C. MILLER By Roger C. Hanks	901-903 West 29th Street 2842 Pearl Street	From "A" Residence To "O" Office
CLAY L. PRICE, J.A. McCUTCHEON, KATHERINE HICKEY, By J. A. Patterson	314-317 (307-311) East 14th Street and 1306-1310 Trinity	From "B" Residence 2nd Height & Area To "C" Commercial 3rd Height & Area
R. GRAHAM WILSON By Ronald E. Tynes	3408 West Avenue	From "A" Residence 1st Height & Area To "BB" Residence 2nd Height & Area
JAMES E. HILL By Bryon Lockhart	Tract 1: 1505-1613 Old State Highway No. 29, 1500-1610 Old Austin Del Valley Road Tract 2: 1514-1608 Old State Highway No. 29 and 1513-1603 Dalton Lane	From "A" Residence To "C" Commercial
M. E. CHERNOSKY ESTATE By L. J. Struhall	300-504 Vargas Road 270-320 Bastrop Highway 6506-6510 Lynch Street	From "A" Residence 1st Height & Area To "C" Commercial 6th Height and Area

L. J. STRUHALL

4508-4516 South 3rd
Street

From "A" Residence
To "C" Commercial

There being no further business, the Council adjourned at 4:55 P.M.,
subject to the call of the Mayor.

APPROVED

Tom Miller

Mayor

ATTEST:

Elie Woosley

City Clerk